

REMARKS

Claims 1-27 are pending in the Application. Claims 1-27 are rejected under 35 U.S.C. §112, second paragraph. Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request that the Examiner reconsider and withdraw these rejections.

I. REJECTIONS UNDER 35 U.S.C. §112:

The Examiner, citing M.P.E.P. §2172¹, has rejected claims 1-27 under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. Office Action (7/26/2006), page 3. In particular, the Examiner asserts that step 601 of Figure 6 is an essential step that is omitted from independent claims 1, 10 and 19. *Id.* Applicants respectfully traverse.

A rejection based on Applicants failure to claim the subject matter which Applicants regard as the invention is appropriate only where Applicants have stated, somewhere other than in the application as filed, that the invention is something different from what is defined by the claims. *In re Moore*, 439 F.2d 1232, 169 U.S.P.Q. 236 (C.C.P.A. 1971); M.P.E.P. §2172. The Examiner has not provided any evidence that the invention is something different from what is defined by claims 1, 10 and 19. In fact, the invention is not different from what is defined by claims 1, 10 and 19. Accordingly, Applicants respectfully assert that claims 1-27 are allowable under 35 U.S.C. §112, second paragraph, and respectfully request the Examiner to withdraw the rejections of claims 1-27 under 35 U.S.C. §112, second paragraph.

Further, the Examiner has not provided any evidence that step 601 is an essential step that must be claimed. The Examiner must provide evidence that step 601 is essential to the invention. *See In re Mayhew*, 527 F.2d 1229, 188 U.S.P.Q. 356 (C.C.P.A. 1976); M.P.E.P. §2172.01. Applicants respectfully assert that claims 1, 10 and 19 do not omit matter disclosed to be essential to the invention as described in the Specification. Accordingly, claims 1-27 are allowable under 35 U.S.C. §112, second paragraph.

¹ M.P.E.P. §2172 deals with the requirement in 35 U.S.C. §112, second paragraph, that claims must set forth the subject matter that Applicants regard as their invention.

Further, Applicants' Specification states that in step 601, security layer 504 may receive a request to provide a service from a user of client 120. Specification, page 15, lines 6-8. There is no language in the Specification that states that step 601 is essential to the invention. Neither is there any language in other statements of record that states that step 601 is essential to the invention. Nevertheless, claim 1 includes a step of "receiving a request to provide a service from a user." Claims 10 and 19 include similar limitations. Hence, assuming *arguendo* that step 601 is an essential step that must be claimed, it appears that Applicants have included the aspect of step 601 in claims 1, 10 and 19. Accordingly, claims 1-27 are allowable under 35 U.S.C. §112, second paragraph.

Furthermore, a rejection for omitting essential steps is not appropriate under 35 U.S.C. §112, second paragraph. M.P.E.P. §2172.01. Instead, such a rejection is appropriate under 35 U.S.C. §112, first paragraph. M.P.E.P. §2172.01. Accordingly, claims 1-27 are allowable under 35 U.S.C. §112, second paragraph.

II. CONCLUSION:

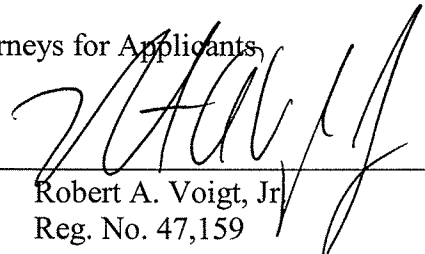
As a result of the foregoing, it is asserted by Applicants that claims 1-27 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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